

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Clifton J. Rennie,

Civil No. 11-2970 (RHK/JJG)

Petitioner,

v.

Scott Baniecke,

**ORDER ON REPORT
AND RECOMMENDATION**

Respondent.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation (Doc. No. 18) is **ADOPTED**;
2. Petitioner's Amended Petition for Writ of Habeas Corpus (Doc. No. 3) is **DENIED** without prejudice; and
3. Petitioner's Motion for Relief Pending Evidentiary Hearing (Doc. No. 5) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 5, 2012

s/Richard H. Kyle

RICHARD H. KYLE
United States District Judge